

Docket No.: 21581-00256-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

OCT 12 2006

In re Patent Application of:
Shigeru Kawano et al.

Application No.: 10/669,503

Filed: September 25, 2003

For: PROCESS FOR PRODUCING OPTICALLY
ACTIVE PYRIDINEETHANOL
DERIVATIVES

Confirmation No.: 4338

Art Unit: 1652

Examiner: Y. D. Pak

DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Burton A. Amernick, Attorney of Record in this application, declare as follows:

1. *Candida maris* IFO 10003 has been deposited in the Institute for Fermentation, Osaka (IFO);

2. During the pendency of this application, access to the invention will be afforded to the Commissioner upon request;

3. Upon granting of the patent in the strain will be available to the public under the conditions specified in 37 CFR 1.808;

4. The deposit will be maintained in a public repository for a period of 30 years or 5 years after the last request or for the effective life of the patent, whichever is longer;

5. The deposit will be replaced if it should ever become inviable.

493491